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KRALIK ASSOCIATES

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 2 KRALIK & ASSOCIATES  
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 4 Pasadena, California 91107  
 Telephone: (626) 351-4800  
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Attorneys for Defendant/Counter-Claimant  
 INDYMAC BANK, F.S.B.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

MICHAEL GAREDAKIS, TAMARA  
 GAREDAKIS,

Plaintiffs,

vs.

INDYMAC BANK F.S.B., MLA DBA  
 MONEYLINE AMERICA, AMERICAN  
 TITLE COMPANY AND DOES 1-10,

Defendants.

Case No.: C04-02687 BZ

STIPULATION TO DISMISS ENTIRE  
 ACTION

INDYMAC BANK, F.S.B.,

Counter-Claimant,

vs.

MICHAEL GAREDAKIS; TAMARA  
 GAREDAKIS; MONEY LINE AMERICA;  
 TICOR TITLE COMPANY OF  
 CALIFORNIA aka AMERICAN TITLE  
 COMPANY; and ROES 1-50, inclusive,

Counter-Defendants.

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STIPULATION TO DISMISS ENTIRE ACTION

Case No. C04-02687 BZ

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1 TO THE HONORABLE BERNARD ZIMMERMAN:

2 The parties to this action, namely, Plaintiffs MICHAEL GAREDAKIS and TAMARA  
3 GAREDAKIS (collectively "Plaintiffs"), and Defendants INDYMAC BANK, F.S.B.,  
4 EM-EL-AY, INC. fka MLA, INC., and TICOR TITLE COMPANY fka AMERICAN TITLE  
5 COMPANY (collectively "Defendants") (collectively, "the Parties"), by and through their  
6 attorneys of record herein, hereby stipulate as follows:

7

8

### RECITALS

9 WHEREAS, Plaintiffs filed this action on July 6, 2004, and all parties named therein  
10 have been served with the Complaint and responded thereto;

11 WHEREAS, IndyMac filed its Counter- and Cross-Claims on November 9, 2004, and all  
12 parties named therein have been served with the Counter- and Cross-Claims and responded  
13 thereto;

14 WHEREAS, the Parties participated in a Settlement Conference concerning all issues  
15 raised in the Complaint and Counter- and Cross-Claims, respectively, on June 9, 2005; and

16 WHEREAS, the Parties have agreed to resolve this action in its entirety, including all  
17 claims set forth in the Complaint and Counter- and Cross-Claims, respectively, upon the terms  
18 and conditions set forth in that certain settlement agreement entered into between them in open  
19 Court on June 9, 2005.

20

21

### STIPULATION

22 IT IS HEREBY STIPULATED, by and between the Parties, through their respective  
23 counsel of record, that this action be dismissed in its entirety, with prejudice, including  
24 Plaintiffs' Complaint and IndyMac's Counter- and Cross-Claims, pursuant to Federal Rule of  
25 Civil Procedure 41(a)(1)(ii).

26 IT IS FURTHER STIPULATED, that this Stipulation may be signed in counterparts and  
27 by facsimile.

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STIPULATION TO DISMISS ENTIRE ACTION

Case No. C04-02687 BZ

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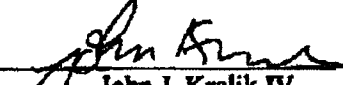
Dated: \_\_\_\_\_

By: \_\_\_\_\_

Marc Voisenat  
Attorneys for Plaintiffs  
MICHAEL GAREDAKIS and  
TAMARA GAREDAKIS

Dated: July 29, 2005

KRALIK & ASSOCIATES

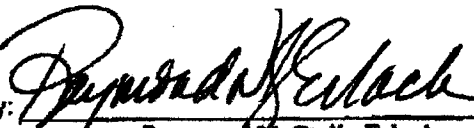
By:   
John J. Kralik IV  
Attorneys for Defendant/Cross-Claimant  
INDYMAC BANK, F.S.B.

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Scott Noble  
Attorneys for Defendant  
TICOR TITLE COMPANY fka  
AMERICAN TITLE COMPANY

Dated: July 29, 2005

By:   
Raymond N. Stella Erlach  
Attorneys for Defendant  
EM-EL-AY, INC. fka MLA, INC.

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STIPULATION TO DISMISS ENTIRE ACTION

Case No. C04-02687 BZ

1 IT IS SO STIPULATED.  
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3 Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Marc Voisenat  
Attorneys for Plaintiffs  
MICHAEL GAREDAKIS and  
TAMARA GAREDAKIS

7 Dated: July 29, 2005  
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KRALIK & ASSOCIATES

9 By: [Signature]  
John J. Kralik IV  
Attorneys for Defendant/Cross-Claimant  
INDYMAC BANK, F.S.B.

14 Dated: July 29, 2005  
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By: [Signature]  
Scott Noble  
Attorneys for Defendant  
TICOR TITLE COMPANY fka  
AMERICAN TITLE COMPANY

20 Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Raymond N. Stella Erlach  
Attorneys for Defendant  
EM-EL-AY, INC. fka MLA, INC.

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-3-  
STIPULATION TO DISMISS ENTIRE ACTION

Case No. C04-02687 BZ

1 IT IS SO STIPULATED.

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3 Dated: 7/29/05

By: 

Marc Voisenat

Attorneys for Plaintiffs

MICHAEL GAREDAKIS and

TAMARA GAREDAKIS

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7 Dated: July 29, 2005

KRALIK & ASSOCIATES

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10 By: 

John J. Kralik IV

Attorneys for Defendant/Cross-Claimant

INDYMAC BANK, F.S.B.

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By: \_\_\_\_\_

Scott Noble

Attorneys for Defendant

TICOR TITLE COMPANY fka

AMERICAN TITLE COMPANY

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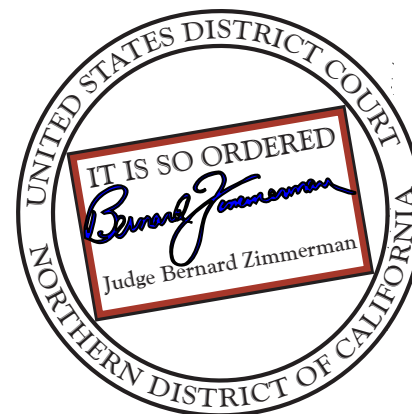
Raymond N. Stella Erlach

Attorneys for Defendant

EM-EL-AY, INC. fka MLA, INC.

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26 THE CLERK  
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STIPULATION TO DISMISS ENTIRE ACTION

Case No. C04-02687 BZ